

REMARKS

This Response is submitted in reply to the Official Action mailed April 16, 2008.

Applicant submits that the Response is fully responsive to the outstanding Official Action for at least the reasons set forth below.

In the Official Action, claims 33-40 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takahashi, JP 2000-197252 (hereinafter the “‘252 reference”) or in the alternative under 35 U.S.C § 103(a) as being obvious over the same.

Applicant respectfully disagrees with the rejection and traverses with at least the following analysis.

Specifically, Applicant submits that the ‘252 reference fails to teach or suggest (i) making permission/non-permission determination regarding whether or not the first medical device is to be synchronized with the second medical device in response to the **identification information outputted** from the first medical device control portion; and (ii) wherein when the second medical device has already been driven when identification information is received from the first medical device control portion, the second medical device control portion receives no driving information from the first medical device control portion and controls the second medical device to be driven independent of the first medical device, as recited in claim 33.

Notably, the ‘252 reference describes that based upon the identification of the probe connected to the first device, the first device sends a control signal which performs interlocking/forbidding control to the second device. The second device then is in a state of carrying out interlocking/forbidding control. In other words, the interlocking/forbidding is controlled by **the control signal from the first device**. In stark contrast, in the claimed invention, the first device sends only an identification information of the treatment equipment

connected to the first device to the second device. The second device receives the identification information (from the first device), and in response to the identification information, determines permission/non-permission. In other words, the first device only sends the identification information to the second device and the second device determines, by itself, whether or not to be synchronized with the first device in response to the identification information received from the first device. Therefore, the second device, using the identification information received from the first device, determines itself whether to become synchronized or non-synchronized.

Additionally, the '252 reference fails to teach or suggest that the second device does not receive drive information from the first device, if the second device is in operation when the second device receives the identification information from the first device.

At best, the '252 reference suggests that control information is always transmitted from the first device to the second device when treatment equipment is attached and a drive signal is generated regardless of the state of the second device. Notably, paragraphs 73-76 (of the '252 reference) fail to mention what happens if the second medical device is already in operation.

In contrast, in the claimed invention, when the second device is already in operation, when the identification information is received from the first device, the second device does not receive the drive information (from the first device), and the second device is controlled to be driven independent from the first device.

Accordingly, Applicant submits that claim 33 is patentable over the cited reference; the reference fails to teach, suggest or render obvious each and every limitation of the claim.

Claim 35 recites, *inter alia*, the first medical device control portion makes permission/non-permission determination regarding whether or not the first medical device is to be synchronized with the second medical device in response to the identification information

outputted from the second medical device control portion, and outputs said first drive signal to drive the treatment equipment connected to the first medical device in response to the activation of the second switch if it is judged that the first medical device is to be synchronized with the second medical device and wherein when the first medical device has already been driven when identification information is received from the second medical device control portion, the first medical device control portion receives no driving information from the second medical device control portion and controls the first medical device to be driven independent of the second medical device. Applicant submits that the '252 reference fails to teach or suggest the above-identified limitations based at least upon the analysis set forth above.

Notably, the '252 reference fails to teach that the first device determines by itself, whether or not to be synchronized with the second device in response to identification information received from the second device.

Additionally, the '252 reference fails to teach that when the first device is already in operation, when the identification information is received from the second device, the first device does not receive the drive information (from the second device), and the first device is controlled to be driven independent from the second device.

Therefore, claim 35 is patentable over the cited reference; the reference fails to teach, suggest or render obvious, each and every limitation of the claim.

Applicant submits that claims 34 and 36-40 are patentable over the cited reference based at least upon the above-identified analysis.

Furthermore, Applicant submits that claims 36 and 37 are separately patentable over the cited reference. Notably, while the '252 reference teaches periodic transmission of the identification information, the '252 reference does not teach using a failure to receive the

identification information as a reason to stop the second device, as recited in claims 36 and 37.

The Examiner has not established that these limitations are obvious. In fact, the Examiner failed to address these limitations in the outstanding Official Action.

Based upon the foregoing, Applicant respectfully requests that the Examiner withdrawn the rejections of Claims 33-40 pursuant to 35 U.S.C. § 102(b)/103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Seth Weinfeld", with a long, sweeping horizontal stroke extending to the right.

Seth Weinfeld
Registration No. 50,929

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 (telephone)
(516) 742-4366 (facsimile)

SMW:reg